



COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663
(949) 644-3200 Fax: (949) 644-3229

www.newportbeachca.gov

CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

February 14, 2013
Agenda Item 1

SUBJECT: Island Hotel Sign Program - (PA2012-174)
690 Newport Center Drive
▪ Modification Permit No. MD20112-018
Comprehensive Sign Program Amendment No. CS2006-001

APPLICANT: The Irvine Company – John Doane

PLANNER: Melinda Whelan, Assistant Planner
(949) 644-3221, mwhelan@newportbeachca.gov

ZONING DISTRICT/GENERAL PLAN

- **Zone:** PC-56 (Newport Center North)
- **General Plan:** MUH3 (Mixed-Use Horizontal)

PROJECT SUMMARY

A Modification Permit to amend a portion of a Comprehensive Sign Program to allow the renovation of six existing wall signs to exceed the maximum height and area permitted by the Zoning Code for a comprehensive sign program (more than a 20% increase in height and 30% increase in area). Each sign proposes a total combined area of 545-square-feet including the added logo upon the Newport Center Drive and Santa Cruz Drive building elevations.

RECOMMENDATION

- 1) Conduct a public hearing; and
- 2) Adopt Draft Zoning Administrator Resolution No. _ approving Modification Permit No. MD2012-018 to amend Comprehensive Sign Program Amendment No. CS2006-001 (Attachment No. ZA 1).

DISCUSSION

- The hotel site was originally developed with Site Development Review No. 32 that allowed the installation of four wall signs, two logo signs and two building identifications signs. Comprehensive Sign Program No. CS2006-001 established a sign program for the hotel including amending the building wall signs to allow a total of 358 square feet and in substantial conformance with the Site Development Review No. 32.
- The logo sign is proposed to be 46 square feet. The “Island Hotel” portion of the wall sign is proposed to increase by 55 square feet to 322 square feet and the “Newport Beach” portion of the wall sign is proposed to increase by 86 square feet to 177 square feet. The total signage on each façade would be 545 square feet.
- The Island Hotel building is one of several high-rise buildings within the Block 600 making site location and identification difficult without the increase in size and letter height of the wall signs upon the Newport Center Drive and Santa Cruz Drive building elevations.
- The proposed amendment to the existing Comprehensive Sign Program to add the logo sign and increase the area of the existing wall signs on two building facades requires the approval of a modification permit but would remain in substantial conformance with the Site Development Review No. 32.

ENVIRONMENTAL REVIEW

The project has been reviewed, and qualifies for a Class 11 (Accessory Structures) categorical exemption pursuant to Title 14 of the California Code of Regulations (Section 15311, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act). Class 11 exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

PUBLIC NOTICE

Notice of this application was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant and posted on the subject property at least 10 days prior to the decision date, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

Prepared by:



Melinda Whelan
Assistant Planner

GR/msw

Attachments:	ZA 1	Draft Resolution
	ZA 2	Vicinity Map
	ZA 3	Revised Sign Program

Attachment No. ZA 1

Draft Resolution

RESOLUTION NO. ZA2012-0##

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MODIFICATION PERMIT NO. MD2012-018 TO AMEND A PORTION OF COMPREHENSIVE SIGN PROGRAM NO. CS2006-001 FOR RENOVATION OF TWO EXISTING WALL SIGNS TO EXCEED THE MAXIMUM HEIGHT AND AREA LOCATED AT 690 NEWPORT CENTER DRIVE (PA2012-174)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Irvine Company, with respect to property located at 690 Newport Center Drive, and legally described as PCL 3 of LLA 2011-001 requesting approval of a Modification Permit to amend a portion of an existing Comprehensive Sign Program.
2. The applicant requests a Modification Permit to amend the Comprehensive Sign Program to allow the renovation of six existing wall signs to exceed the maximum height and area permitted by the Zoning Code for a comprehensive sign program (more than a 20% increase in height and 30% increase in area). Each sign proposes a total combined area of 545-square-feet including the added logo upon the Newport Center Drive and Santa Cruz Drive building elevations.
3. The subject property is located within the Newport Center North (PC-56) Zoning District and the General Plan Land Use Element category is Mixed-Use Horizontal (MUH3).
4. The subject property is not located within the coastal zone.
5. A public hearing was held on February 14, 2013, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. The project has been reviewed, and qualifies for a Class 11 (Accessory Structures) categorical exemption pursuant to Title 14 of the California Code of Regulations (Section 15311, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act).

2. Class 11 exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.52.050 of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

- A. *The requested modification will be compatible with existing development in the neighborhood*

Facts in Support of Finding:

1. The proposed project is to expand the existing wall signs which are commonly seen on the multi-story buildings within the area.
2. The larger, taller buildings are common within the Newport Center area which have larger wall signs to adequately identify and provide direction to the public.

Finding:

- B. *The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use*

Facts in Support of Finding:

1. Due to the location of the existing signage at the top of the Island Hotel, a high-rise building, an increase in letter height and sign area is necessary for visibility.

Finding:

- C. *The granting of the modification is necessary due to practical difficulties associated with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code*

Facts in Support of Finding:

1. The Island Hotel is located in Block 600 of Newport Center among several existing high-rise and multi-story buildings making visibility of the site location and identification more difficult for the general public.

2. The increased size of the wall signs is appropriate to the scale and height of the buildings in the area and necessary to provide adequate visibility within the office and commercial area.

Finding:

D. There are no alternatives to the modification permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public

Facts in Support of Finding:

1. The existing wall signs on two building façades have been at their location since the development of the hotel site in 1991 and there has been no history of detriment to the neighborhood.
2. Enlarging the monument signs or providing additional ground signs as an alternative could be detrimental and adversely impact circulation and contribute to sign clutter; while enlarging the existing wall signs provides a design solution to provide greater visibility and identification for the hotel with less impact, and without contributing to sign clutter on the ground.

Finding

E. The granting of the modification would not be detrimental to public health, safety, or welfare, to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code

1. The increased size of the wall signs will provide better visual direction for the public from the surrounding public roadways and from a greater distance.
2. The location of the wall signs on the two building facades of the existing hotel does not affect views or impact the surrounding area since they are located on the existing building.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves PA2012-174 for Modification Permit No. MD2012-018 to amend a portion of Comprehensive Sign Program No. CS2006-001, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.

2. This action shall become final and effective fourteen days after the adoption of this Resolution unless within such time an appeal is filed with the Director of Community Development in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF FEBRUARY, 2013.

Brenda Wisneski, AICP, Zoning Administrator

DRAFT

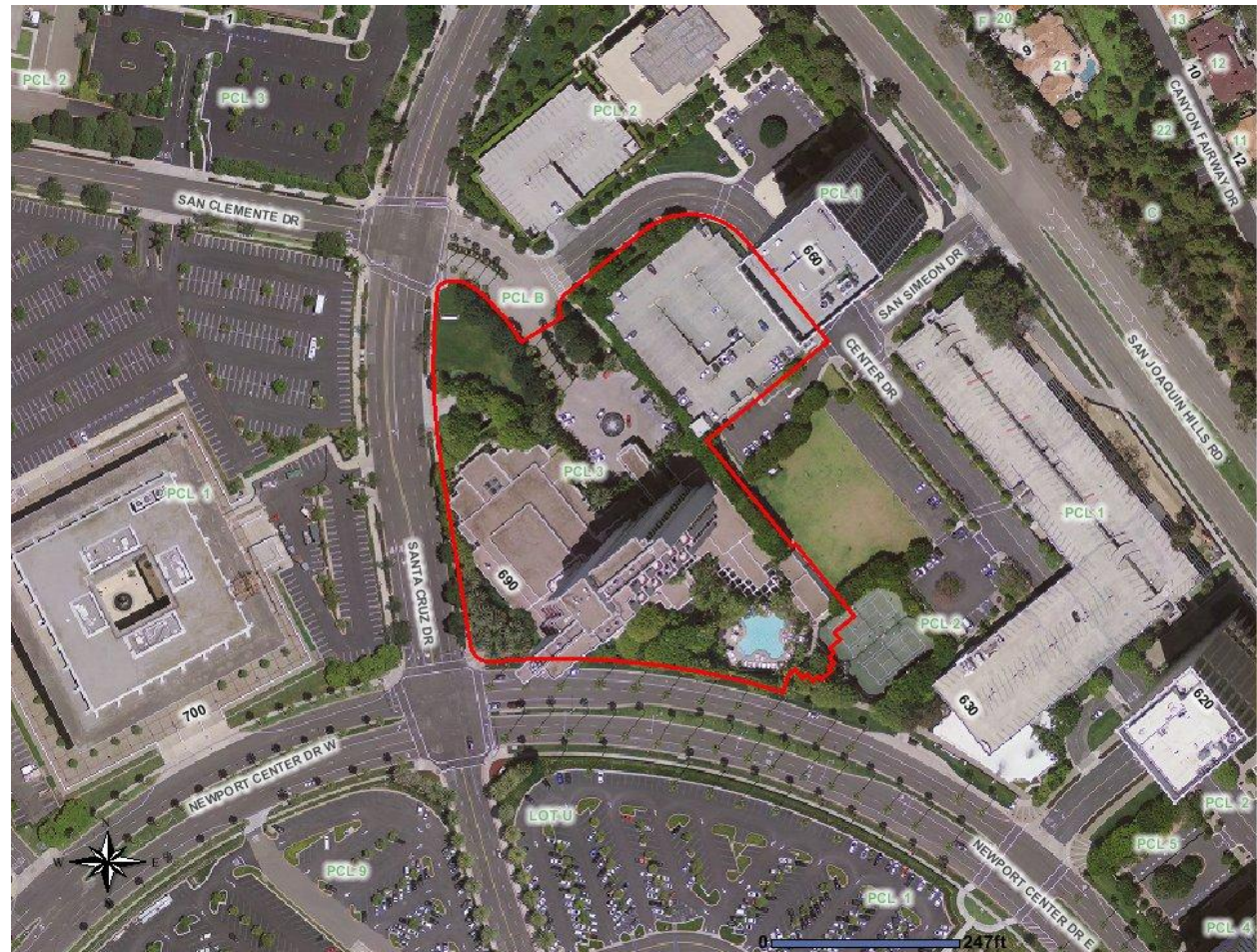
EXHIBIT "A"**PLANNING**

1. All proposed signs shall be in conformance with the approved amended Comprehensive Sign Program No. CS2006-001 for the project site and provisions of Chapter 20.42 of the Newport Beach Municipal Code.
2. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
3. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Island Hotel Sign Program including, but not limited to, Modification Permit No. MD2012-018(PA2012-174) to amend a portion of Comprehensive Sign Program No. CS2006-001. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

Attachment No. ZA 2

Vicinity Map

VICINITY MAP



Modification Permit No. MD20112-018
PA2012-174

690 Newport Center Drive

Attachment No. ZA 3

Project Plans

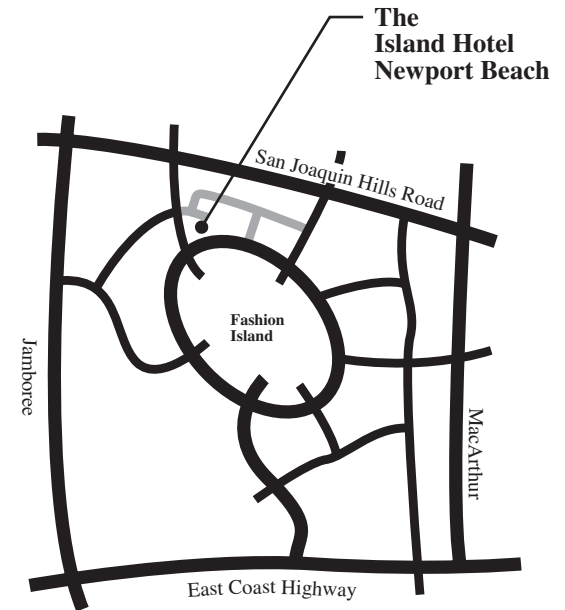
COMPREHENSIVE SIGN PROGRAM FOR

ISLAND HOTEL NEWPORT BEACH

NEWPORT BEACH, CALIFORNIA

PROPERTY OWNER:
IRVINE COMPANY
CONTACT: JOHN DOANE (949) 720-2391
jdoane@irvinecompany.com

PROGRAM DESIGNER:
BAAB & ASSOCIATES
CONTACT: DAVID J. BAAB (949) 729-9210
dbaab@baabcorp.com



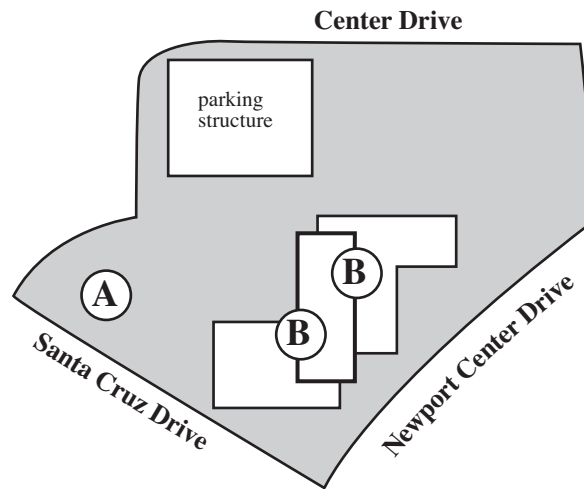
PROGRAM TITLE

PAGE 1

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COMPREHENSIVE SIGN PROGRAM FOR
ISLAND HOTEL NEWPORT BEACH

SIGN TYPE	DESCRIPTION	SIGN CLASSIFICATION PER ZONING ORDINANCE	SIGN LOCATION	MAX. QUANTITY	MAX. SIGN AREA	MAX. HEIGHT OF SIGN ABOVE GROUND	LOGOS ALLOWED?	ILLUMINATION PERMITTED?	BUSINESS IDENTIFICATION PERMITTED?
A	MONUMENT SIGN	FREESTANDING SIGN	GROUND	1	255 SF	5.2 FT.	YES	YES	YES
B	PARAPET SIGN	BUILDING SIGN	WALL	2	545 SF	PARAPET	YES	YES	YES



Legend

- Ⓐ Sign Type A
- Ⓑ Sign Type B

SITE PLAN

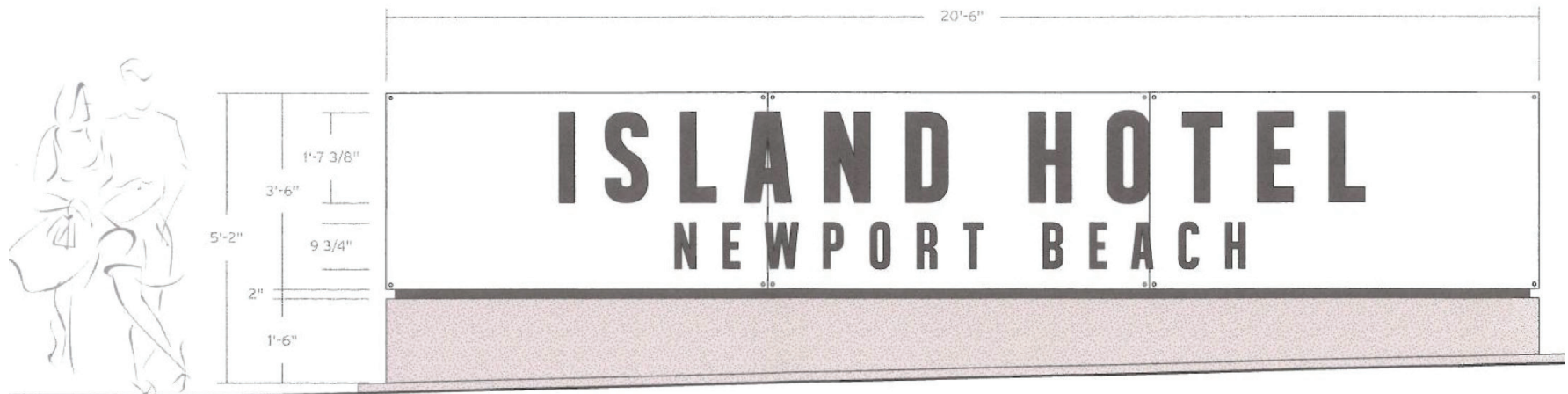
PAGE 3

February 1, 2013

COMPREHENSIVE SIGN PROGRAM FOR
ISLAND HOTEL NEWPORT BEACH

SIGN TYPE A

MONUMENT SIGN



FRONT ELEVATION - NAME CHANGE

Alternative sign content, colors, and typeface are allowed

**SIGN TYPE A
ELEVATION / SPECIFICATIONS**

PAGE 4A

February 1, 2013

COMPREHENSIVE SIGN PROGRAM FOR
ISLAND HOTEL NEWPORT BEACH

SIGN TYPE B

PARAPET SIGN

"ISLAND HOTEL" - Flush mounted face lit
fabricated painted aluminum channel letters with
10" deep black returns and day/night translucent
acrylic faces.

"NEWPORT BEACH" - Flush mounted face lit
fabricated painted aluminum channel letters with
6" deep black returns and day/night translucent
acrylic faces.

Sun Wave Logo - Flush mounted non illuminated
reverse pan fabricated painted aluminum logo form
with 8" deep returns.

Logo Color - PMS 505 C



TheDesignFactor

Contact
26432 Las Alturas Avenue, Laguna Hills, CA 92653
Ph. (949) 360-5750 Fx. (949) 643-2863
thedesignfactor@cox.net www.thedesignfactor.biz

SIGN TYPE B
ELEVATION / SPECIFICATIONS

Alternative sign content, colors, and typeface are allowed

PAGE 4B

February 1, 2013

COMPREHENSIVE SIGN PROGRAM FOR
ISLAND HOTEL NEWPORT BEACH

SIGN TYPE B

PARAPET SIGN



Alternative sign content, colors, and typeface are allowed

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SIGN TYPE B
PHOTO SIMULATION
PAGE 4C

February 1, 2013

COMPREHENSIVE SIGN PROGRAM FOR
ISLAND HOTEL NEWPORT BEACH

ADDITIONAL
MATERIALS
RECEIVED

Comments on Feb. 14, 2013 Zoning Administrator Agenda

Submitted by: Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229)

Item B. Minutes for the January 24, 2013 Regular Hearing

On page 2:

line 3: "...an additional condition of approval requiring ~~the~~ limiting the illumination of the new monument sign ..."

line 5: following "The Zoning Administrator opened the public hearing."

Although the draft minutes identify the members of the public who spoke, they fail to make clear that the applicant for Item No. 2 was The Irvine Company and that Shawna Schaffner of CAA Planning Consultants (?) was present representing them.

I believe that prior to Ms. Mallar speaking, the Zoning Administrator asked Ms. Schaffner if she wanted to say anything on behalf of the applicant, but she declined. However she *did* speak later, and without identification of her as the spokesperson, statements such as "...and applicant agreed, ..." and "...with concurrence of the applicant, ..." lack clarity.

→ **Item C.1. Island Hotel Sign Program (PA2012-174)**

Under "Subject" in the title block of the staff report: "Permit No. MD~~2011~~2012-018"

In the draft resolution:

In the heading material: "THE ~~PLANNING COMMISSION~~ ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS..."

Section 1.2: "The applicant requests a Modification Permit to amend the Comprehensive Sign Program to allow the renovation of six existing wall signs to exceed the maximum height and area permitted by the Zoning Code for a comprehensive sign program (more than a 20% increase in height and 30% increase in area). Each sign proposes a total combined area of 545-square-feet including the added logo upon the Newport Center Drive and Santa Cruz Drive building elevations."

I find less than clear the description of what is allowed by the current Comprehensive Sign Program, what is wrong with that, and what is proposed. Is the language intended to suggest the proposed signs are larger than the Zoning Code allows even with a Sign Program? and is this a proposal to *amend* the existing Sign Program, or to seek a deviation from it?

Section 1.5: "... and considered by, the ~~Planning Commission~~ Zoning Administrator at this meeting."

Section 3.C.1. *"The Island Hotel is located in Block 600 of Newport Center among several existing high-rise and multi-story buildings making visibility of the site location and identification more difficult for the general public."*

I don't entirely buy this premise. The Island Hotel has a distinctive architecture that distinguishes it from the nearby office towers.

Section 3.D.1. *"The existing wall signs on two building façades have been at their location since the development of the hotel site in 1991 and there has been no history of detriment to the neighborhood."*

This begs the question of why signs that have been adequate for 22 years are no longer adequate.

Section 3.E.2. *"The location of the wall signs on the two building facades of the existing hotel does not affect views or impact the surrounding area since they are located on the existing building."*

However they are mounted, large signs can be visually intrusive and *do* impact the surrounding area.

Section 4.1. *"The Zoning Administrator of the City of Newport Beach hereby approves PA2012-174 for Modification Permit No. MD2012-018 to amend a portion of Comprehensive Sign Program No. CS2006-001, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.."*

If CS2006-001 is being amended, it would seem a copy of the amended sections needs to be provided. I am unable to find any reference in the resolution to where the amendments can be found. I see a "Revised Sign Program" provided as Attachment ZA 3 in the staff report, but it is not identified as CS2006-001, and its relation to the draft resolution, and to the former CS2006-001, is unclear. Is Attachment ZA 3 an amendment to a portion of the existing CS2006-001 (as the resolution suggests), or a replacement for the entirety of CS2006-001?

Regarding Attachment ZA 3:

Page 2: The lack of written explanation makes the intent and content of the proposed Comprehensive Sign Program unclear: page 2 seems to specify a total of 3 signs, which I find difficult to reconcile with the six signs mentioned in the resolution. The attachment also leaves unclear how this proposal differs from the existing program.

Page 3: Again, without any written explanation, the significance of the provided diagram is unclear. Are these suggested sign locations? Or the only allowable locations?

Page 4A: I am disappointed the Monument Sign, as proposed, does not include the site address. Also, page 2 of the staff report suggests the original permission allowed two ground level building identification signs. Is the intent now that only one be allowed?

For purposes of this hearing, I think it would have been helpful to provide before and after pictures, portraying what the signs look like now for comparison with the proposal.

REVISED

RESOLUTION NO. ZA2012-0##

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Zoning Administrator Resolution No. ZA2012-0##

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2. Class 11 exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

SECTION 3. REQUIRED FINDINGS.

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Finding:

- A. *The requested modification will be compatible with existing development in the neighborhood*

Facts in Support of Finding:

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Finding:

- B. *The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use*

Facts in Support of Finding:

1. Due to the location of the existing signage at the top of the Island Hotel, a high-rise building, an increase in letter height and sign area is necessary for visibility.

Finding:

- C. *The granting of the modification is necessary due to practical difficulties associated with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code*

Facts in Support of Finding:

1. The Island Hotel is located in Block 600 of Newport Center among several existing high-rise and multi-story buildings making visibility of the site location and identification more difficult for the general public.

Zoning Administrator Resolution No. ZA2012-0##

Page 3 of 5

2. The increased size of the wall signs is appropriate to the scale and height of the buildings in the area and necessary to provide adequate visibility within the office and commercial area.

Finding:

D. There are no alternatives to the modification permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public

Facts in Support of Finding:

1. The existing wall signs on two building façades have been at their location since the development of the hotel site in 1991 and there has been no history of detriment to the neighborhood.
2. Enlarging the monument signs or providing additional ground signs as an alternative could be detrimental and adversely impact circulation and contribute to sign clutter; while enlarging the existing wall signs provides a design solution to provide greater visibility and identification for the hotel with less impact, and without contributing to sign clutter on the ground.

Finding

E. The granting of the modification would not be detrimental to public health, safety, or welfare, to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code

1. The increased size of the wall signs will provide better visual direction for the public from the surrounding public roadways and from a greater distance.
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NOW, THEREFORE, BE IT RESOLVED:

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Zoning Administrator Resolution No. ZA2012-0##

Page 4 of 5

2. This action shall become final and effective fourteen days after the adoption of this Resolution unless within such time an appeal is filed with the Director of Community Development in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF FEBRUARY, 2013.

Brenda Wisneski, AICP, Zoning Administrator

EXHIBIT "A"**PLANNING**

1. All proposed signs shall be in conformance with the approved amended Comprehensive Sign Program No. CS2006-001 for the project site and provisions of Chapter 20.42 of the Newport Beach Municipal Code.
2. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
3. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Island Hotel Sign Program including, but not limited to, Modification Permit No. MD2012-018(PA2012-174) to amend a portion of Comprehensive Sign Program No. CS2006-001. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.